

1 BILL NO. S-81-04-05

2 SPECIAL ORDINANCE NO. S- 105-81

3
4 AN ORDINANCE authorizing the sale and
5 conveyance of title to certain real
6 estate owned by the City in Baer Field
7 Municipal Airport to Baer Field Building
8 Corporation in connection with the Air
9 Wisconsin Hangar/Office Building project.

10 WHEREAS, the City owns the following described real
11 estate, which is a tract of land in Baer Field, the Fort Wayne
12 Municipal Airport, to-wit:
13

14 A part of the Southwest Quarter of Section 8,
15 Township 29 North, Range 12 East, Allen
16 County, Indiana, more particularly described
17 as follows:

18 Beginning at a point which is a distance of 40
19 feet South of the North Line of the Southwest
20 Quarter of Section 8, Township 29 North, Range
21 12 East, and 209 feet West of the Northeast
22 Corner of the Southwest Quarter of Said Section
23 8, which point is also on the South Line of
24 Baer Field Perimeter Road; thence North 89 degrees
25 25 minutes West along the Said South Line a dis-
26 tance of 450 feet; thence South 0 degrees 35
27 minutes West, a distance of 450 feet; thence
28 South 89 degrees, 25 minutes East, a distance of
29 450 feet; thence North 0 degrees 35 minutes East,
30 a distance of 450 feet to the point of beginning;
31 containing 4.65 acres, more or less.

32 WHEREAS, the City is committed to endeavoring to see
that the people of the City and visitors to the City have
adequate air service to and from the city; and

WHEREAS, Air Wisconsin airlines, which has begun to
serve the City, can further improve and stabilize its service
to Fort Wayne by locating its central maintenance terminal
at Fort Wayne, which it is expected to do when appropriate
facilities are available for such purpose, and

WHEREAS, the City has determined that it can and should
provide such facilities to Air Wisconsin by way of a hangar/
office building to be built at Baer Field and leased to Air

Wisconsin; and

WHEREAS, to provide a means of financing such project a not-for-profit corporation, called "Baer Field Building Corporation" has been created which will: (1) issue revenue bonds to provide the necessary financing; (2) construct the hangar/office building needed by Air Wisconsin on land in Baer Field provided by the City; and (3) lease the land and building to the City, which will, in turn, sub-lease the same to Air Wisconsin; and

WHEREAS, the City has, with the prior approval of this body, initiated proceedings under the 1974 Indiana Leasing Property Act (I.C. 18-5-3.3-1 thru 11) to accomplish the foregoing, including obtaining an appraisal of the fair market value of the Baer Field tract of property selected for such purpose (above described) by three (3) appraisers duly appointed by the Allen Circuit Court pursuant to I.C. 18-5-3.3-8, who have reported to said Court that they determined the fair market value of said tract to be Forty Six Thousand Five Hundred (\$46,500.00) Dollars; and

WHEREAS, it is now necessary and appropriate that the City sell and transfer the above described land to Baer Field Building Corporation in fee simple, for \$46,500.00 cash as authorized and required by I.C. 18-5-3.3-8.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the sale and transfer by the City to Baer Field Building Corporation, in fee simple, of the above described land in Baer Field Municipal Airport, for the sum of Forty Six Thousand Five Hundred (\$46,500.00) Dollars cash, payable on delivery of the City's deed, is hereby authorized

and approved.

SECTION 2. That the Mayor of the City of Fort Wayne, Indiana, is hereby authorized and directed to execute a warranty deed for said property, on behalf of the City, upon such terms and conditions as are deemed necessary or advisable in the interests of the City, to Baer Field Building Corporation as Grantee.

SECTION 3. That the City Clerk of the City of Fort Wayne, Indiana, is hereby authorized and directed to append the Seal of the City of Fort Wayne, Indiana, to such deed and to attest such seal and the signature of the Mayor.

SECTION 4. Upon the due execution of said deed as aforesaid, the Mayor is further authorized and directed to deliver the same to the appropriate officer or agent of Baer Field Building Corporation in concurrent exchange for payment to the City by said Grantee of the sum of \$46,500.00 cash.


SECTION 5. This Ordinance shall be and constitute sufficient authority for the Mayor and City Clerk of the City of Fort Wayne, Indiana, to do and perform all things and acts and execute all instruments incidental to the execution and delivery of such deed and to the sale and transfer of title to such property to said Grantee.

SECTION 6. The proceeds of such sale shall be deposited in the Aviation Fund of the City of Fort Wayne, Indiana.

SECTION 7. This Ordinance shall be effective upon passage and approval by the Mayor.


COUNCILMAN

APPROVED AS TO FORM AND
LEGALITY 4-9-1981.


JOHN E. HOFFMAN, CITY ATTORNEY

Read the first time in full and on motion by J. Schmidt seconded by Stier, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on 4-14-81, the 4 day of April, 1981, at 8 o'clock M., E.S.T.

DATE: 4-14-81

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Stier seconded by Burns, and duly adopted, placed on its passage. PASSED (~~LOSS~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>8</u>	<u> </u>	<u> </u>	<u>1</u>	<u> </u>
BURNS	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
EISBART	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
GIAQUINTA	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
NUCKOLS	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
SCHMIDT, D.	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
SCHMIDT, V.	<u>A</u>	<u> </u>	<u> </u>	<u>A</u>	<u> </u>
SCHOMBURG	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
STIER	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TALARICO	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

DATE: 4/28/81

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. 2-105-81 on the 28th day of April, 1981.

ATTEST: (SEAL) John Nuckols
Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of April, 1981, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 30th day of April 1981, at the hour of 2 o'clock P. M., E.S.T.

Winfield C. Moses, Jr.
WINFIELD C. MOSES, JR.
MAYOR

BILL NO. S-81-04-05

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON Finance TO WHOM WAS REFERRED AN
ORDINANCE authorizing the sale and conveyance of title to certain
real estate owned by the City in Baer Field Municipal Airport
to Baer Field Building Corporation in connection with the Air
Wisconsin Hangar/Office Building project

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

VIVIAN G. SCHMIDT, CHAIRMAN

JAMES S. STIER, VICE CHAIRMAN

MARK E. GiaQUINTA

PAUL M. BURNS

ROY J. SCHOMBURG

4-28-81
CONCURRED IN
DATE CHARLES W. WESTERMAN, CITY CLERK

DIGEST SHEET

281-04-05

TITLE OF ORDINANCE SpecialDEPARTMENT REQUESTING ORDINANCE Law Department and Board of AviationSYNOPSIS OF ORDINANCE An Ordinance authorizing the Mayor and CityClerk to sell 4.65 acre tract in Baer Field to Baer Field BuildingCorporation for \$46,500.00 cash, the fair market value thereofas set by the appraisers appointed by Circuit Court as requiredby state law, and to execute and deliver a deed for such land.

EFFECT OF PASSAGE Accomplishes basic step toward providing a hangar/office building for Air Wisconsin at Baer Field, to facilitate location at Fort Wayne of Air Wisconsin facilities and air service.

EFFECT OF NON-PASSAGE Kills Air Wisconsin hangar/office building project resulting in the probability that it will locate its maintenance facility elsewhere (e.g. Toledo), thereby reducing its commitment to providing service to Fort Wayne.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) All costs and expenditures will be initially borne by Baer Field Building Corporation which will recoup them through the rental for the property, ultimately to be borne by Air Wisconsin as lessee of the property. Baer Field Building Corporation funds will derive from a bond issue which will not be a debt of the City.

ASSIGNED TO COMMITTEE (PRESIDENT)